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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

French Polynesia

Working paper prepared by the Secretariat

Contents

		Page
	The Territory at a glance	3
I.	Constitutional, political and legal issues	5
II.	Economic conditions	8
	A. General	8
	B. Agriculture, fisheries, aquaculture and pearl farming	8
	C. Industry	9
	D. Transport and communications	9
	E. Tourism	10
	F. Environment	10
III.	Social conditions	11
	A. General	11
	B. Employment	11
	C. Education	12
	D. Health care	13

Note: The information contained in the present working paper has been derived from public sources and is extracted from public sources on the Internet. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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IV. Consideration by the United Nations 14

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples 14

B. Special Political and Decolonization Committee (Fourth Committee) 16

C. Action taken by the General Assembly 17

The Territory at a glance

Territory: French Polynesia is a Non-Self-Governing Territory under the Charter of the United Nations. It is administered by France.

Representative of administering Power: Lionel Beffre, High Commissioner of the Republic (since 21 August 2013).

Geography: French Polynesia occupies a vast maritime zone in the south Pacific, covering an area comparable to that of Europe (2.5 million km²).

Land area: The 118 islands that comprise French Polynesia, grouped in five archipelagos, represent a land area of about 3,600 km².

Exclusive economic zone: 4,767,242 km².

Population: 268,207 (2012, Statistical Bureau of French Polynesia).

Life expectancy at birth: women: 77.4 years; men: 72.8 years (2013).

Ethnic composition: Ma'ohi (65 per cent); "Demis" (mixed race) (16 per cent); Chinese (5 per cent); Popâa (white) (12 per cent, of whom 98 per cent are French).

Languages: French; Tahitian; Marquesan; Tuamotuan; Mangareva; the Austral island languages: Ra'ivavae, Rapa, Rurutu; English; Hakka Chinese; Cantonese; and Vietnamese.

Capital: Papeete.

Head of territorial Government: Edouard Fritch (since September 2014).

Main political parties: The political groupings in Congress are: Tahoera'a Huiraatira, Union for Democracy, A Ti'a Porinetia.

Elections: The most recent municipal, European and senatorial elections, as well as legislative by-elections, were held in 2014. Senatorial by-elections are scheduled to take place in 2015.

Parliament: The Assembly of French Polynesia consists of 57 representatives elected by universal suffrage.

Gross domestic product per capita: US$ 26,113 (2012).

Unemployment rate: 21.8 per cent (2012).

Economy: Fishing and copra farming are the two traditional activities. In addition to trade, the Territory's economy relies on handicrafts, industry, construction and public works, and more recently tourism, as well as aquaculture, in particular, pearl farming (black pearl cultivation), which has become the leading export in value terms.

Monetary unit: Pacific franc, or CFP franc (CFPF).

Brief history: The Polynesian people became established as a result of successive waves of migration from 300 A.D. to the end of the fourteenth century. Europeans first reached French Polynesia in 1521 (Magellan) and started to settle there after the arrival of Captain Wallis (1767). Beginning in the early nineteenth century, the Pomare dynasty extended its influence over both Tahiti and the Tuamotu and Leeward Islands. It signed a protectorate treaty with France in 1842; then, in 1880, King

Pomare V granted France sovereignty over the islands that were dependencies of the Tahitian crown, thereby giving rise to the French Establishments in Oceania. The latter became an overseas collectivity with the creation of the French Union in 1946 and has been referred to as French Polynesia since 1957. The Polynesians reaffirmed their wish to remain a territory of France in a referendum held in 1958 (Source: Institut d'Emission d'Outre-mer).

I. Constitutional, political and legal issues

1. According to the French Government portal set up for collectivities, which is maintained by the General Directorate of Public Finances and the General Directorate of Local Collectivities, the Constitution of 27 October 1946 classified Polynesia as an overseas territory (territoire d'outre-mer (TOM)), and that status was maintained by the 1958 Constitution. The constitutional review of 28 March 2003 amended article 74 of the Constitution in relation to overseas territories and replaced the term "overseas territory" (territoire d'outre-mer) with the term "overseas collectivity" (collectivité d'outre-mer). Legislators were tasked with defining the organizational and operational rules of a collectivity's institutions and the electoral arrangements of its deliberative assembly. This status is adopted after consultation by the deliberative assembly of the overseas collectivity in question. Polynesia's special status was established by Law No. 2004-192 of 27 February 2004, which specified an organization that was different from that of common law and close to an assembly-based parliamentary system. The office of the President of Polynesia was thus created, with a representative role, to direct the actions of the government and administration, and to promulgate the "country laws" (lois du pays). The Polynesian Government, comprising between 7 and 10 ministers, is responsible for guiding the policies of the collectivity. The collectivity's deliberative body is the Assembly of Polynesia, which is elected by direct universal suffrage every five years.

2. According to the French Government portal for collectivities, despite being an original institutional organization, Polynesia does not have political autonomy; but it does enjoy administrative autonomy, and a specific law is applicable to it. Under the principle of legislative and regulatory speciality, the organic legislative body of each overseas collectivity is tasked with establishing the conditions for applying relevant laws and regulations. Metropolitan law is therefore applicable only when explicitly indicated. Moreover, Polynesia's deliberative assembly has certain categories of act, in accordance with its competencies in the legal domain known as "country laws" (lois du pays). These acts have a broad scope under Polynesia's statutory jurisdiction and can be appealed only to the French Council of State (Conseil d'Etat) and not to the Polynesian Administrative Tribunal (Tribunal administratif). This administrative autonomy entails the sharing of jurisdiction by the French State and Polynesia. The State has competency in the areas of "sovereignty, as referred to in article 14 of the Organization Act of 2004" and in 37 other areas, such as intercommunity cooperation, police and civil aviation security, which the collectivity has chosen to attribute to the State. For its part, in addition to ordinary jurisdiction, Polynesia may, subject to monitoring by the State, exercise its jurisdiction in guaranteeing the rights granted throughout the national territory regarding public freedoms (art. 74, para. 11, of Law No. 2004-192 of 27 February 2004).

3. According to the 2013 annual report on French Polynesia published by the Institut d'Emission d'Outre-mer in 2014, the 2004 reform resulted in a long period of political instability, which the adoption of two laws (Organization Act No. 2007-223, abolishing the electoral rule whereby additional seats were attributed to the party having won the majority of votes; and Organization Act No. 2007-1720 on introducing motions of no-confidence) failed to remedy; it should be noted that 11 Governments succeeded one another from 2004 to 2013. In 2011, Organization Act No. 2011-918 on the functioning of institutions was adopted to restore stability.

This law modified the electoral process by re-establishing the electoral rule previously abolished and by creating a single electoral constituency; it also set a limit on the number of ministers and the possibility of overthrowing the government. This law has been implemented since the territorial elections held in May 2013.

4. According to the Institut d'Emission d'Outre-mer, the institutions of French Polynesia consist of: the President, the Government, the Assembly of French Polynesia and the Economic, Social and Cultural Council. The role and competencies of these institutions are defined by statutory organic law.

5. The President is elected by the Assembly of French Polynesia by secret ballot for a five-year term. He forms the Government by appointing the Vice-President and ministers, whom he can dismiss; and he directs the action of the ministers. The President promulgates country laws and signs the acts adopted by the Council of Ministers. He is the originator of the budget and directs territorial administration. His mandate has elements of that of a deputy, senator and mayor, and it can be terminated by a vote of no-confidence by the Assembly, or in the event of the latter's dissolution.

6. The Government serves as French Polynesia's executive power and carries out its policies. It meets every week as the Council of Ministers, which has collective and collegiate responsibility for affairs within its jurisdiction. The Government establishes which draft decisions are to be submitted to the Assembly and which enabling measures are needed to implement them. It also has wide-ranging regulatory power. It is consulted on a mandatory basis, by the Minister for Overseas Territories or by the High Commissioner for Areas of State competency, depending on the case in question.

7. The Assembly of French Polynesia, consisting of 57 members elected by direct universal suffrage for five-year terms, "debates all issues within the collectivity's jurisdiction, other than those devolved to the Council of Ministers or to the President of the Government. The Assembly adopts country laws, over which the Council of State exercises jurisdictional control, and the decisions submitted by the Government. It votes on French Polynesia's budget and accounts and oversees actions taken by the Government. The Government may be overthrown by a motion of no-confidence; the Assembly can be dissolved by a decree issued by the President of the Republic, at the request of local government.

8. The Economic, Social and Cultural Council, a consultative body, consists of representatives from professional groupings, labour unions, organizations and associations involved in the economic, social and cultural life of the collectivity. The Council issues opinions with corresponding recommendations on issues referred to it by the Government and the Assembly. It must be consulted for advice on economic, social and cultural projects, and on draft decisions prepared by the Government or the Assembly of French Polynesia. It may also undertake studies on issues within its jurisdiction, on its own initiative, subject to a two-thirds majority vote of its members. The Council consists of 51 members appointed by their peers for a four-year term, and distributed among three colleges (representatives of wage earners; representatives of entrepreneurs and self-employed workers; and representatives of sociocultural sectors). Its president is elected for two years.

9. According to the 2014 Guide to State services and institutions in French Polynesia, the High Commissioner of the Republic represents the central Government and each of the ministers. He works closely with the President and the Government of French Polynesia, which are in contact with all national stakeholders, to serve the public interest. The safety and security of its citizens is the High Commissioner's main priority. He manages the administrative and technical services of the High Commission for communities and individual beneficiaries. At the request of French Polynesia, he mobilizes the expertise necessary to create high-impact projects, with a view to supporting the economy. The High Commissioner also ensures the coherence of all services provided by the French State. He is the intermediary between the central administrations and the ministers in Paris. Alongside the judicial authorities, administrative judges and auditors, he is responsible for ensuring observance of the law and the legal soundness of the acts adopted by the collectivities. As a representative of the Government, the High Commissioner is responsible for guiding the activities of the French State at sea. The geographical jurisdiction of the High Commissioner covers the maritime zone of French Polynesia, including the waters under French sovereignty and jurisdiction surrounding Clipperton Island, that is, within the limits of the exclusive economic zone.

10. In 2014, the French Council of State invalidated country law No. 2013-17, which in 2013 had re-established the High Council of French Polynesia, a consultative body tasked with advising the President of the territory and the Government in the drafting of country laws, regulatory acts and deliberations. In 2011, the High Council had been eliminated in application of the recommendations of the assistance mission to French Polynesia aimed at reducing operational costs.

11. On 7 February 2013, the Appeals Court of Papeete sentenced Mr. Gaston Flosse, President of the territory, to a suspended prison term of four years and to a fine of CFPF15 million, and furthermore ordered the suspension of his civic, civil and family rights for a period of three years. On 23 July 2014, the Court of Cassation rejected the cassation appeal filed by Mr. Flosse against the decision of 7 February 2013 and the sentence became definitive, despite the request submitted by Mr. Flosse for the suspension order to be reversed.

12. The High Commissioner of French Polynesia, in application of the courts' decisions, issued an order declaring Mr. Flosse's automatic resignation from the office of President of French Polynesia and representative in the Assembly of French Polynesia. He was notified of the order on 5 September 2014. On 12 September 2014, the Assembly of French Polynesia elected Mr. Edouard Fritch President of the territory.

13. On 16 September 2014, the French Constitutional Council confirmed the removal from office of Mr. Flosse as a member of the French Senate.

14. The French Minister for Overseas Territories visited French Polynesia from 9 to 11 March 2015. During a statement made on 11 March 2015, the Minister referred to, inter alia, the contracts signed with the territorial authorities, the particular challenges facing the territory's communities, the territory's social regime, and the status of French Polynesia.

II. Economic conditions

A. General

15. According to the French Ministry for Overseas Territories, fishing and copra production are the two traditional activities in the Polynesian archipelagos, which extend over vast stretches of ocean. In addition to trade, the Territory's economy relies on handicrafts, industry, construction and public works, and more recently tourism, as well as aquaculture, in particular, pearl farming (black pearl cultivation), which has become the leading export in value terms.

16. According to a document adopted by the Economic, Social and Cultural Council in October 2013, the territory's economic and administrative activities are heavily concentrated in the island of Tahiti. Papeete is the main source of employment and hub of economic activity. The arrival of the Pacific Experimentation Centre in the early 1960s clearly disrupted the economic balances and social organization inherited from the colonial period and from traditional society. The service industry has developed significantly, to the detriment of the primary sector and artisanal activities. It now plays a preponderant role in the Polynesian economy, generating nearly three quarters of total value added. In that connection, the territory's business directory, published by the Statistical Bureau of French Polynesia, states that three of every four new companies are related to the service industry, a trend that remained constant between 2008 and 2013.

17. The Council has also noted that, since the date of the moratorium on nuclear testing in 1992, efforts to restructure the economy have resulted in the implementation of a Development Charter; and, following the definitive halting of nuclear testing in 1996, a vast strategic programme was adopted to develop economic sectors considered as priorities: tourism, pearl farming and fishing. Nonetheless, 20 years on, French Polynesia has still not achieved the strategic objectives of developing its own resources and reducing its dependence on financial transfers from the State.

18. French Polynesia's single programming document for the tenth European Development Fund in 2013 states that the economic situation has deteriorated since 2008. The economic challenges identified in the document consist of revitalizing currently struggling sectors, on which Polynesian development is based, such as tourism, pearl farming and fishing. Renewable energies and the primary sector (agriculture, aquaculture) and its use by agrifood industries, as well as the new technologies sector, represent new growth hubs. The new technologies sector is open to global opportunities, whereas the other sectors pursue food and energy self-sufficiency. These sectors will need to help create new jobs to meet the needs of both urban centres and the outlying archipelagos.

B. Agriculture, fisheries, aquaculture and pearl farming

19. According to the report of the Institut d'Emission d'Outre-mer mentioned in paragraph 3, Polynesian agriculture is based on small-scale family farms that practise polyculture. Its development is hindered by farmers' lack of training and a shortage of land suitable for crop growing (challenging terrain in the higher islands, poor-quality soil on the atolls, issues related to a lack of land division, etc.). The

Society Islands archipelago is the country's leading agricultural region, accounting for 60 per cent of all farms in French Polynesia. The other archipelagos practise more specialized agriculture. The Tuamotu and Marquise islands are the main producers of copra, while the Austral Islands specialize in truck farming.

20. Thanks to its exclusive economic zone, French Polynesia has major fishery potential. Nonetheless, fishing is currently enduring a crisis driven by both cyclical and structural factors. As a result of the depletion of fishery stocks during the period 2003-2006 and the El Niño climatic pattern, the profitability of fishing fleets has declined. Moreover, the fishing industry lacks skilled workers, and some industrial-scale fishing vessels do not comply fully with the regulations. On the heels of a very lucrative 2012 (+72 per cent) the tonnage of fishing exports plummeted by 21 per cent in 2013. Aquaculture in French Polynesia is practised by five farms specializing in shrimp culture, fish farming, and coral aquaculture. The Fisheries Service estimates annual sales at around CFPF 110 million.

21. The Tahitian pearl, which has become a flagship industry of the Polynesian economy, has undergone a major crisis since the beginning of the 2000s, as a result of falling world prices and challenges in formalizing the industry. In 2013, Tahitian pearls nevertheless accounted for more than half of all export revenues and helped to sustain the inhabitants of outlying islands, particularly the Tuamotu-Gambier islands.

C. Industry

22. According to the Institut d'Emission d'Outre-mer, despite severe structural constraints (specifically, the small domestic market, which restricts economies of scale for businesses targeting local demand; relatively high labour costs, which make Polynesian products less competitive; and heavy dependence on raw materials and energy), French Polynesia has nonetheless succeeded in creating an industry based on three major hubs: agrifood, shipbuilding, and the manufacture of intermediate construction goods, supported by a number of processing activities (furniture, textiles and printing). Local industry development benefits from customs protection in the form of the local development import tax. The Polynesian industrial sector is made up of primarily small units: 85 per cent of the 2,457 industrial businesses listed in the 2013 territorial business directory of the French Polynesia Statistical Bureau employed a maximum of two wage workers; and a total of 104 businesses employed a maximum of 10.

D. Transport and communications

23. According to the French Ministry for Overseas Territories, the port of Papeete is French Polynesia's maritime link to the outside world. It is managed by a public enterprise, the autonomous Port of Papeete. Since its first master plan in 1987, it has expanded its infrastructure to meet the requirements of economic growth. According to the Institut d'Emission d'Outre-mer, its 10-year plans have allowed for the modernization of its facilities. During the period 1999-2009, French Polynesia focused on modernizing the services provided to incoming cruise ships and leisure boats, and on developing infrastructure for fishing and inter-island trade, such as the construction of a ferry terminal, which opened in 2012. The 2009-2019 plan seeks

to improve security, in line with international regulations, and to address the overcrowding in the area currently surrounding the port by, inter alia, relocating the oil terminal and international trade to the reef area to the east of Papeete; redesigning the available land; and replacing the Navy's floating dock.

24. French Polynesia has air connections to all the continents: Asia (Japan); Oceania (New Caledonia, New Zealand, Cook Islands); North America (United States); South America (Chile); and Europe. It has one international airport, in Tahiti (Faa'a), owned by the State. In 2010, operation of the airport was handed over to a mixed-economy enterprise, Aéroport de Tahiti, whose capital is shared between French Polynesia, the French Development Agency (Agence Française du Développement), and the Egis Corporation, a subsidiary of Caisse des Dépôts et Consignations. The archipelagos are serviced primarily by the private sector and by the administrative fleet (limited to public services, such as transporting children to school from the outlying islands).

25. Nonetheless, according to a document adopted by the Economic, Social and Cultural Council in October 2013, French Polynesia is located off the trans-Pacific shipping lanes and air routes that link the Pacific Rim countries, mainly those of Asia, the Americas and Australia.

E. Tourism

26. According to a report published by the Institut d'Emission d'Outre-mer in January 2015, the tourism industry is the leading source of goods and services exported from the territory. With the end of the "nuclear economy" in 1995, tourism became the central pillar of the development of French Polynesia's own resources. It continues to play that role and is now at the heart of economic recovery efforts to lift the territory out of the recession it has undergone for the past five years.

27. The tourism industry represents 2,700 businesses, which generate 15 per cent of French Polynesia's turnover and employ 16 per cent of wage workers. The revenue created by tourism is 3.5 times that of local exports and accounts for nearly 37 per cent of total Polynesian exports of goods and services.

28. The Polynesian tourism industry nevertheless is struggling to maintain its place in an increasingly competitive environment. French Polynesia has benefited neither from the increase in world tourism, nor from the positive economic momentum in the Pacific. According to the Institut d'Emission d'Outre-mer, tourism in French Polynesia grew significantly in the 1990s, with a 6 per cent average annual increase in the number of tourists. Since 2007, however, tourism has slowed considerably, with just 164,400 tourists visiting the territory in 2013, that is, 7 per cent more than in 2010.

F. Environment

29. According to the Institut d'Emission d'Outre-mer, the Government has set a 50 per cent target for the proportion of renewables in total energy use by 2020, as part of its sustainable development strategy. More than 60 per cent of energy consumption is oil-dependent; the remainder comes from hydroelectric power and, to a much lesser extent, from solar energy (photovoltaic). There are two thermal

power facilities on the island of Tahiti (Vairaatoa, Punaruu) and five hydroelectric plants (Papenoo, Faatautia, Vaihiria, Titaaviri and Vaite). On the other islands, thermal power is most prevalent. Wastewater treatment is still largely left to individual initiative, and only 25 per cent of the population is linked up to treatment stations, either individual or collective, with limited effectiveness. The lack of wastewater sanitation is one of the major causes of lagoon and river pollution. An estimated 130,000 tons of sewage is produced each year (75 per cent of it in Tahiti); this major challenge is further accentuated by the scattered geography of the islands and the large distances between them. Responsibility for waste management rests with the communities, which collect and treat domestic solid waste.

30. In a report adopted in October 2013, the Economic, Social and Cultural Council states that owing to its geographic location and its particular environmental, economic and social conditions, French Polynesia is particularly vulnerable to the effects of climate change, such as coral bleaching, the impact of cyclones and rising sea levels in ecosystems and infrastructures, the emergence of new invasive species and potential diseases. Climate change is a serious threat to the environment and the economy: 30 per cent of Polynesian islands are at risk.

III. Social conditions

A. General

31. French Polynesia's single programming document for the tenth European Development Fund in 2013, referring to a study conducted by the French Development Agency, stresses that an estimated 19.7 per cent of households have incomes below the relative poverty line. According to the study, major income gaps remain; the relative poverty of households is expected to deteriorate further; and income instability mainly affects low-income families and those not benefiting from regular wages. Lastly, the inadequate targeting of social transfers and the lack of direct progressive taxation on revenue places much of the responsibility on the government to reduce inequalities and consequently poverty through social policy.

B. Employment

32. According to the Economic, Social and Cultural Council, the labour market is dominated by the service industry, which accounts for 80 per cent of direct wage-paying jobs declared to the Social Security Fund (Caisse de prévoyance sociale). According to the Institut d'Emission d'Outre-mer, the service sector employs 67 per cent of all wage workers, half of whom work in the business sector. Construction employs 7 per cent of workers and manufacturing, 8 per cent. The primary sector, agriculture and the maritime sector together account for 3 per cent of wage workers (2013). The public sector plays an important role, owing to the establishment and activity of the Pacific Experimentation Centre, which has carried out large-scale hiring. This sector now employs nearly 15,000 civil servants, or 13 per cent of the active workforce. In 2013, according to the Institut d'Emission d'Outre-mer, the number of civil servants dropped by 1.5 per cent, particularly affecting public administration workers (-2.7 per cent), as cutbacks in the number of employees, in the form of volunteer resignations, have been carried out in an effort to improve

public finances. The labour market is dominated by wage employment and is heavily influenced by the demographic situation, which is characterized by over one third of the population under 20 years of age, a declining fertility rate and ever-increasing life expectancy, which in turn speeds up population ageing. Forecasts made by the French Polynesia Statistical Bureau suggest that individuals 60 years of age and older will make up 17 per cent of the population in 2027, compared to 9 per cent in 2007.

33. According to the Statistical Bureau, the rate of unemployment has nearly doubled in five years, rising from 11.7 per cent in 2007 to 21.8 per cent in 2012. The doubling of unemployment primarily affected young people (nearly half of all jobless persons are younger than 25 years old) and individuals with the least education. For an education level equal to or less than middle school, the unemployment rate was 27.4 per cent in 2012; it was less than 10 per cent for those who had completed higher studies. Standing at 22.8 per cent, the jobless rate for women was higher than that for men in 2012 (21.1 per cent). In 2014, so-called "employment access" contracts were introduced to facilitate access to the labour market by the unemployed, under certain conditions.

34. According to the Statistical Bureau, employment of wage workers in the business sector grew in December 2014. Over the entire year, employment rose by 0.8 per cent while the average for the past five years was a 1.8 per cent decline. In December 2014, employment grew in the industrial sector and in the hotel and restaurant business, but shrank in the construction and trade sectors.

C. Education

35. According to the Ministry for Overseas Territories, under article 6 of the Autonomy Law No. 96-312 of 12 April 1996, primary and secondary education are the territory's responsibility, while post-baccalaureate and higher education are the responsibility of the State. French Polynesia has 236 primary schools (including pre-primary and special-needs), and 99 secondary schools. The school year is not identical to that of the metropolis, owing to specific climate factors: the long vacations are shorter (roughly 50 days), and Christmas vacations are longer (about one month). Nonetheless, the State guarantees the national equivalency of the diplomas awarded, while French Polynesia has total jurisdiction in terms of educational activities. Mayoralties register enrolments, generally around May each year. French Polynesia offers a varied educational system, with schools specializing in diverse areas. The University of French Polynesia, a public scientific, cultural and vocational establishment, is located in Outamaoro, in the community of Punaauia. Created in 1987 and autonomous since 1999, this young university has been a major hub of higher education and research activities for over 20 years.

36. The General Directorate of Education and Teaching was established on 1 July 2014. It overseas all primary and secondary school curricula in the territory.

37. According to the Economic, Social and Cultural Council, despite the fact that virtually all young generations attend school, performance still lags behind metropolitan France, especially with regard to graduation rates. The baccalaureate diploma rate in French Polynesia is half that recorded in France; and the territory is even further from its goal of a 70 per cent baccalaureate rate set by the 2011 Education Charter.

D. Health care

38. According to a health survey conducted in French Polynesia in 2010, most archipelagos, with the exception of the Society islands, rely on the basic health care services provided by the Government through first-aid stations, infirmaries, clinics and medical centres, whereas basic health care in the Windward and Leeward Islands is provided primarily by the private sector, including physicians, nurses, midwives and physical therapists. Four public hospitals provide local hospital care. Specialised health care is provided by public ambulatory medical services and, to a greater extent, by private specialist physicians, most of whom practise in Tahiti, Moorea and Raiatea. Those suffering from pathologies that cannot be treated in Polynesia are evacuated to New Zealand or metropolitan France. According to the French Polynesia Statistical Bureau, in 2013, there were 187 physicians and 51 pharmacists in the territory. Health care is covered by an insurance company managed by the Social Security Fund. There are three regimes: wage workers; non-wage-workers subject to employee and employer contributions; and a so-called solidarity regime, for indigent persons not subject to contributions. While the geographic and demographic situation of French Polynesia is beneficial to some areas in that it allows for local health care targeted to small communities, it nevertheless presents challenges, specifically: providing a sufficiently broad range of community-based care to meet needs; ensuring an even distribution of services throughout the territory; and preventing delays in reaching and evacuating patients in emergency situations. As a result, providing quality health care to the entire population comes at a very high cost, according to the 2010 health survey conducted in French Polynesia.

39. In June 2014, the French Court of Audit (Cour des Comptes) published a thematic report entitled, "Health in the overseas territories: a responsibility of the Republic". Some of the information contained in the report is reproduced below.

40. A few of the 121 islands that make up French Polynesia are located more than 1,500 km from Papeete. Three fourths of the population lives in Tahiti and Moorea. Most of the 76 inhabited islands have a clinic, an infirmary or a first-aid station.

41. In French Polynesia, 69.9 per cent of inhabitants are overweight; of these, 40.4 per cent are obese. Some 70 per cent of individuals over 18 years of age are overweight and 40 per cent suffer from obesity. The report notes that 74.2 per cent of those individuals identified in the 2010 health survey as suffering from high blood pressure were not receiving treatment. More needs to be done in French Polynesia to address addictive behaviours. Significant prevention initiatives had been led with regard to French Polynesian school and university health services. Polynesian school medical services monitored children's health over a long period; they received more frequent visits and identified problems earlier than was the case in metropolitan France.

42. The distance between islands in French Polynesia made it a pioneer in telemedicine: as early as 1991, electrocardiograms were being shared by hospital emergency room doctors on different islands. With the arrival of the Internet in 2000, such exchanges expanded to include photographs of patients and radiological imaging. In 2005, when emergency medical services were established, physicians set up a system for sharing still images. As of recently, a pilot project involving the

high-speed transmission of moving images is being piloted by three outlying islands.

43. The Audit Court's report also contains an annex on the effects of nuclear tests carried out in French Polynesia. The report notes, inter alia, that from 2010 to 30 June 2013, the Committee for the Compensation of Nuclear Test Victims received 843 claims, 12 of which resulted in compensation and others of which are still under consideration. In 2007, a medical centre was established by the territory and the French Government to provide health services for former civil and military workers on the Pacific test sites and for the communities living or having lived near those sites. The Court refers to a report on the application of Law No. 2010-2 of 5 January 2010 on the recognition and compensation of victims of the French nuclear tests, which was presented in 2013 to the senatorial committee for the monitoring of the application of French Senate laws.

44. Following the Fukushima accident in 2011, the report of the French Court of Audit notes that the Institute for Radioprotection and Nuclear Safety increased the frequency of its analyses and communication campaigns (air, grass, milk, seawater, fish, etc.), as well as the number of measures, but did not identify any risk judged significant.

45. In a statement made on 11 March 2015, the French Minister for Overseas Territories, while visiting the territory, noted a number of improvements in nuclear-related matters, including the Morin Act (Law No. 2010-2 of 5 January 2010), which was revised to extend its geographic perimeter, and the Committee for the Compensation of Nuclear Test Victims, which is now an independent administrative authority, and no longer reports to a ministry. The Minister also stated that Polynesians required assistance in preparing claims for compensation, noting that the process was complex owing to the guarantees it provided, and she invited the High Commissioner and the territorial government to consider what means of assistance might be provided to submitters of claims. She added that it was important to take the heat out of the debate and to consider ways to resolve pending issues calmly. The Minister, referring to an idea submitted by the President of the territorial government to create a country/State working group on the subject, said that she would propose its establishment to the Prime Minister.

46. The Court of Audit of French Polynesia has, in the framework of its programme of work, begun its examination of the management of the French Polynesian Hospital for the financial years 2008 to 2013, in application of Organization Law No. 272-12 of the code of financial jurisdiction. On 23 May 2014, the Court issued its concluding observations.

IV. Consideration by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

47. The Special Committee considered the question of French Polynesia at its ninth meeting on 27 June 2014, pursuant to General Assembly resolution 68/93.

Two petitioners addressed the Special Committee: Mr. Oscar Temaru, member of the Assembly of French Polynesia, and Senator Richard Ariihau Tuheiava.

48. Mr. Temaru said that a series of commemorative events had been held throughout the Territory on 17 May 2014 to mark the one-year anniversary of the reinstatement of French Polynesia on the list of Non-Self-Governing Territories. A permanent memorial had also been unveiled, symbolizing the Ma'ohi people's struggle to overcome colonialism. That struggle was supported by the international community, in particular the Pacific island countries and the Movement of Non-Aligned Countries. The adoption of the draft resolution on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/AC.109/2014/L.9), which mirrored the language of other United Nations resolutions and legal opinions regarding the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, was of particular importance to the Ma'ohi people, as their marine resources covered some 5 million km^2 of seabed and contained vast amounts of minerals. He said he looked forward to the report that the General Assembly had requested, in its resolution 68/93, on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in the Territory. He drew attention to a recent independent report on French nuclear testing in French Polynesia, which would be submitted to the General Assembly. Noting that the draft resolution on the question of French Polynesia referred to General Assembly resolution 68/73 on the effects of atomic radiation, he said he hoped that the United Nations Scientific Committee on the Effects of Atomic Radiation would consider including French Polynesia in its programme of work, particularly as the Mururoa and Fangataufa atolls were still considered French military property, making it difficult to conduct truly independent surveys.

49. Mr. Tuheiava said that it was regrettable that the administering Power had failed to transmit information on French Polynesia to the Committee, as it was required to do under Article 73 *e* of the Charter of the United Nations. During the Pacific regional seminar held in Fiji in May 2014, the representative of the administering Power had left the room when the question of French Polynesia had been discussed. The administering Power exercised unilateral control over the entire electoral system in French Polynesia, including the authority to write and amend electoral ordinances, to determine voter eligibility, and to confirm or annul election results. A system of "bonus seats" in the French Polynesian legislature had been created to award additional seats to political parties that favoured the Territory's continued dependent status, and French police and military personnel had been included in the electoral rolls of French Polynesia. Moreover, the resources available for electoral campaigns were unevenly distributed, including access to electronic media and the availability of marine and air transport to the many outlying islands. The colonial status quo in French Polynesia was inconsistent with a fair and genuine process of self-determination. Steps should therefore be taken to transfer powers to the people of French Polynesia, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples.

50. At its ninth meeting, the Special Committee adopted, without a vote, a draft resolution submitted by the Committee Chairperson (see A/AC.109/2014/L.16).

B. Special Political and Decolonization Committee (Fourth Committee)

51. At the third meeting of the Fourth Committee, held on 8 October 2014, Mr. Oscar Temaru, elected representative of the Union pour la démocratie in the Assembly of French Polynesia, noted that the draft resolution on French Polynesia before the Committee specifically recognized the inalienable rights of the peoples of Non-Self-Governing Territories to their natural resources and their right to establish and maintain control over the future development of those resources. That doctrine was critical to the disposition of Ma'ohi Nui's marine resources, which comprised vast amounts of minerals and rare earth across some 5 million square kilometres of ocean. The administering Power was unilaterally limiting the scope of the Territory's authority over those resources, but the rule of law must prevail. He noted that France was a member of the International Seabed Authority, whereas Ma'ohi Nui, unlike all independent Pacific nations, was not. Hence, the Territory fully expected that its ownership and control of the resources would be given effect during the self-determination process. According to Mr. Temaru, the administering Power was already planning exploitation and had established a special committee on strategic minerals in which the Territory had no say. Moreover, without control over immigration, the Territory was powerless as job seekers from France flocking to its islands easily saturated its resource-related job market. Therefore, two issues required the full attention of the United Nations: immigration control, which was currently exerted exclusively by the administering Power, and the need to define eligibility criteria for voters in the self-determination process.

52. At the third meeting of the Fourth Committee, held on 8 October 2014, Mr. Richard Tuheiava (Front de libération de la Polynésie) said that his political party had been disappointed that the report of the Secretary-General on the environmental, ecological, health and other impacts as a consequence of the 30-year period of nuclear testing in French Polynesia (A/69/189) had been issued, perhaps strategically, almost a month after the Special Political and Decolonization Committee on decolonization had completed its work the previous June, making it impossible for it to review the findings and for the people of the Territory to have a chance to provide their views. According to him, the report was far from comprehensive and had barely scratched the surface. The report should be followed by an in-depth examination within the appropriate mechanism of the United Nations system. Noting the link between the effects of nuclear testing on French Polynesia and the draft resolution on the effects of atomic radiation before the Committee, the petitioner requested the General Assembly's assistance in recommending the inclusion of French Polynesia in the agenda of the United Nations Scientific Committee on the Effects of Atomic Radiation.

53. At the same meeting, another petitioner, Mr. Moetai Charles Brotherson, speaking in his personal capacity as deputy mayor of Tahiti, said that all his Territory's communes faced problems owing to the administering Power's application of the same municipal code that governed metropolitan France, which did not take into account their specific needs and constraints. The same applied at the Territorial level, where electoral laws were drafted, adopted, updated and enforced unilaterally from Paris without any provision for local consent. The Government and President of the Territory were approved, controlled, judged and dismissed by France, which even had the power — actually used twice — to disband its Legislature.

54. At its seventh meeting, on 14 October 2014, the Fourth Committee adopted draft resolution V (see A/69/23) without a vote.

C. Action taken by the General Assembly

55. On 5 December 2014, the General Assembly adopted, without a vote, resolution 69/103, based on the report of the Special Committee transmitted to the Assembly (A/69/23) and its subsequent consideration by the Fourth Committee. In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of French Polynesia to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that it is ultimately for the people of French Polynesia to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that regard, called upon the administering Power in cooperation with the territorial Government and appropriate bodies of the United Nations system to develop political education programmes for the Territory in order to foster an awareness among the people of French Polynesia of their right to self-determination, in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(c) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in French Polynesia, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(d) Regretted that the administering Power had not responded to the request to submit information on French Polynesia under Article 73 *e* of the Charter;

(e) Reaffirmed that an obligation exists on the part of the administering Power to transmit information under Chapter XI of the Charter, and requested the administering Power to transmit to the Secretary-General such information on French Polynesia as called for under the Charter;

(f) Called upon the administering Power to intensify its dialogue with French Polynesia in order to facilitate rapid progress towards a fair and effective self-determination process, under which the terms and timelines for an act of self-determination would be agreed;

(g) Took note of the report of the Secretary-General on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia, prepared pursuant to paragraph 5 of General Assembly resolution 68/93 of 11 December 2013;

(h) Requested the Special Committee to continue to examine the question of the Non-Self-Governing Territory of French Polynesia and to report thereon to the General Assembly at its seventieth session.